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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/061,716	01/31/2002	Kazuya Ozawa	49598-00005	1565

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EXAMINER

NGUYEN, PATRICIA T

ART UNIT PAPER NUMBER

2817

DATE MAILED: 05/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/061,716

Applicant(s)

OZAWA ET AL.

Examiner

Patricia T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-21 and 23-28 is/are rejected.
- 7) ☐ Claim(s) 4 and 22 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Drawings

The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81. No new matter may be introduced in the required drawing.

Claim 7 claims "a feedback amplifier circuit" but there is no drawing to illustrate the claim. A drawing is required for claim 7.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 5, 8, 10, 16, 19, 20, 23, 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Titus et al., U.S. Patent # 4,994,755.

Fig. 4 of Titus et al. discloses a circuit comprising: amplifiers 35a, 35b, 35c can be read as an amplifier circuit ; transmission lines 34a-34c can be read as a group delay equalizer circuit (see spec. col. 7, lines 30-34).

Regarding claim 5, see spec. col. 3, lines 11-17.

Regarding claims 8, 10, transmission lines sections 23, 21, 27 can be read as one or more sections of the group delay equalizer circuit wherein section 27 can be read as one or more sections at the output of the amplifier circuit.

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Regarding claims 19, 20, 23, 25, although Titus et al. does not have the method for providing a near constant group delay over a frequency range of an amplifier circuit written out structurally, the method resides inherently in his apparatus.

Claims 1, 2, 7, 16, 17, 18, 19, 20, 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Pyndiah et al., U.S. Patent # 5,087,898.

Fig. 2 of Pyndiah et al. discloses a circuit comprising: transistors T1, T2 can be read as an amplifier circuit ; transmission line LF, resistor RF can be read as a group delay equalizer circuit.

Regarding claim 7, see spec. col. 3, lines 30-34.

Regarding claims 16-18, see spec. col. 1, lines 9-11, col. 2, lines 62-66, col. 3, line 67 – col. 4, line 12.

Regarding claims 19, 20, 28, although Pyndiah et al. does not have the method for providing a near constant group delay over a frequency range of an amplifier circuit written out structurally, the method resides inherently in his apparatus.

Claims 1-3, 8, 9, 12-16, 19, 20, 21, 23, 24 are rejected under 35 U.S.C. 102(b) as being unpatentable over Helms., U.S. Patent # 4,947,136 (provided by the applicants).

Figs. 2A, 2C of Helms discloses a circuit comprising: transistors T1-T5 can be read as an amplifier circuit; capacitors C 12-C14, resistor R1, inductors L5-L7 can be read as a group delay equalizer circuit.

Regarding claims 19, 20, 21, 23, 24, although Helms does not have the method for providing a near constant group delay over a frequency range of an amplifier circuit written out structurally, the method resides inherently in his apparatus.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 3 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Titus et al., U.S. Patent # 4,994,755 and over Pyndiah et al., U.S. Patent # 5,087,898.

Although Titus or Pyndiah does not mention that his group delay equalizer circuit comprises between 3 and 20 percent of the area of the monolithic integrated amplifier circuit, the size of the delay equalizer circuit is a variable design and it would have been

obvious at the time the invention was made to a person having ordinary skill in the art to design the group delay equalizer circuit comprises between 3 and 20 percent of the area of the monolithic integrated amplifier circuit in order to have a compact and convenient integrated amplifier circuit since this is a matter of design choice.

Claims 1-3, 5, 6, 8, 11, 16, 19, 20, 21, 23, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salib et al., U.S. Patent # 5,070,304.

Fig. 1 of Salib et al. discloses a circuit comprising: transistors 142, 144, 146, 148 can be read as an amplifier circuit; section 107 can be read as a group delay equalizer circuit.

Although Salib et al does not have his circuit as an integrated circuit, Pyndiah et al. teaches an amplifier and a group equalization circuit integrated. Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to incorporated the teaching of Pyndiah into the circuit of Salib in order to have a compact and convenient to use circuit since circuit integration is well known in the art and this is a matter of design choice.

Regarding claim 5, see spec. col. 5, lines 34-47.

Regarding claim 6, see spec. col. 4, lines 30-33.

Regarding claims 8, 11 see spec. col. 5, lines 34-47.

Regarding claims 19, 20, 28, although Salib et al. does not have the method for providing a near constant group delay over a frequency range of an amplifier circuit written out structurally, the method resides inherently in his apparatus.

Regarding claims 3, 21, although Salib et al does not mention that his group delay equalizer circuit comprises between 3 and 20 percent of the area of the monolithic integrated amplifier circuit, the size of the delay equalizer circuit is a variable design and it would have been obvious at the time the invention was made to a person having ordinary skill in the art to design the group delay equalizer circuit comprises between 3 and 20 percent of the area of the monolithic integrated amplifier circuit in order to have a compact and convenient integrated amplifier circuit since this is a matter of design choice.

Allowable Subject Matter

Claims 4, 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent # 6,191,735 B1 of Schineller contains some limitations of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia T. Nguyen whose telephone number is (703) 308-1927. The examiner can normally be reached on 6:30 AM - 5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (703) 308-4909. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-0142 for regular communications and (703) 305-0142 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

PTN

May 19, 2003

PATRICIA NGUYEN
PRIMARY EXAMINER

Patricia Nguyen